

(Also referred to as FORM PTO - 1465)

## REQUEST FOR EX PARTE REEXAMINATION TRANSMITTAL FORM

Address to:  
Commissioner for Patents,  
Box Reexam  
Washington, D.C. 20231

Attorney Docket No. 03497.0003.RXUS00

Date: April 10, 2003

1. ☒ This is a request for *ex parte* reexamination pursuant to 37 CFR 1.510 of patent number 6,195,648 issued February 27, 2001. The request is made by:
- ☐ patent owner. ☒ third party requester.
2. ☒ The name and address of the person requesting reexamination is:
- Matthew Rainey  
Howrey Simon Arnold & White, LLP  
301 Ravenswood Avenue, Menlo Park, CA 94025
3. ☐ a. A check in the amount of \$ is enclosed to cover the reexamination fee, 37 CFR 1.20(c)(i);  
☒ b. The Commissioner is hereby authorized to charge the fee as set forth in 37 CFR 1.20(c)(i) to Deposit Account No. 08-3038; or  
☒ c. Payment by credit card. Form PTO-2038 is attached.
4. ☒ Any refund should be made by ☐ check or ☒ credit to Deposit Account No. 08-3038. 37 CFR 1.26(c). If payment is made by credit card, refund must be to credit card account.
5. ☒ A copy of the patent to be reexamined having a double column format on one side of a separate paper is enclosed. 37 CFR 1.510(b)(4)
6. ☐ CD-ROM or CD-R in duplicate, Computer Program (Appendix) or large table
7. ☐ Nucleotide and/or Amino Acid Sequence Submission  
*If applicable, all of the following are necessary*
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM (2 copies) or CD-R (2 copies); or
- ii. ☐ paper
- c. ☒ Statements verifying identity of above copies
8. ☐ A copy of any disclaimer, certificate of correction or reexamination certificate issued in the patent is included.
9. ☒ Reexamination of claim(s) is requested.
10. ☒ A copy of every patent or printed publication relied upon is submitted herewith including a listing thereof on Form PTO-1449.
11. ☒ An English language translation of all necessary and pertinent non-English language patents and/or printed publications is included.

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Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Reexam, Washington, DC 20231.

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12. ☒ The attached detailed request includes at least the following items:
- A statement identifying each substantial new question of patentability based on prior patents and printed publications. 37 CFR 1.510(b)(1)
  - An identification of every claim for which reexamination is requested, and a detailed explanation of the pertinency and manner of applying the cited art to every claim for which reexamination is requested. 37 CFR 1.510(b)(2)

13. ☐ A proposed amendment is included (only where the patent owner is the requester). 37 CFR 1.510(e)

14. ☒ a. It is certified that a copy of this request (if filed by other than the patent owner) has been served in its entirety on the patent owner as provided in 37 CFR 1.33(c).

The name and address of the party served and the date of service are:

Stephen W. Palan

Burns Doane, Swecker & Mathis, L.L.P.

Suite 500, 1737 King Street, Alexandria VA 22314

Date of Service: April 10, 2003; or

- b. A duplicate copy is enclosed since service on patent owner was not possible.

15. ☐ Correspondence Address: Direct all communication about the reexamination to:

☒ Customer Number 27194

OR

Type Customer Number here

Place Customer Number Bar  
Code Label here

27194

PATENT, TRADEMARK OFFICE

<input checked="" type="checkbox"/> Firm or Individual Name	Matthew Rainey				
Address (line 1)	Howrey Simon Arnold & White, LLP				
Address (line 2)	301 Ravenswood Avenue				
City	Menlo Park	State	CA	Zip	94025
Country	USA				
Telephone	415-848-4950	Fax	415-848-4999		

16. ☒ The patent is currently the subject of the following concurrent proceeding(s):

- ☐ Copending reissue Application No.
- ☐ Copending reexamination Control No.
- ☐ Copending Interference No.
- ☒ Copending litigation styled:

GORDON • HOWARD ASSOCIATES, INC., A Colorado corporation, and PACIFIC INSIGHT ELECTRONICS CORP., a Canadian corporation v. PAYMENT PROTECTION SYSTEMS, INC., a California corporation

In the U.S. District Court for the District of Colorado

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Matthew Rainey (Reg. No. 32,291)

Albert P. Halluin (Reg. No. 25,227)

April 10, 2003

Date

☐ For Patent Owner Requester

☒ For Third Party Requester

1 **CERTIFICATE OF SERVICE**

2 I am employed in the County of San Mateo, State of California. I am over the age of eighteen  
3 (18) years and not a party to the within action; my business address is 301 Ravenswood Avenue,  
4 Menlo Park, California 94025.

5 On April 10, 2003, at my place of business, I caused a true and correct copy of the document  
6 as well as attachments to that document described as:

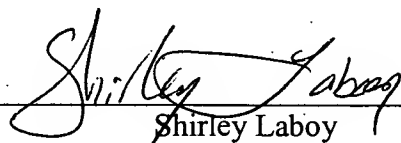
7 **REQUEST FOR EX PARTE REEXAMINATION TRANSMITTAL FORM**

8 to be served on the parties in this action via U.S. mail addressed as follows:

9 **Stephen W. Palan, Esq.**  
10 **BURNS, DOANE, SWECKER & MATHIS, LLP.**  
11 **Suite 500, 1737 King Street**  
**ALEXANDRIA, VA 22314**

12 I declare that I am employed in the office of a member of the Bar of this Court at whose  
13 direction this service was made.

14 I declare under penalty of perjury that the foregoing is true and correct. Executed at Menlo  
15 Park, California on April 10, 2003.

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17 \_\_\_\_\_  
18 Shirley Laboy  
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